

Teacher Certification Rules  
DEPARTMENT OF EDUCATION  
STATE BOARD OF EDUCATION  
TEACHER CERTIFICATION CODE

Filed with the Secretary of State on These rules take effect 15 days after filing with the Secretary of State (By authority conferred on the state board of education by section 1531 of Act No. 451 of the Public Acts of 1976, as amended, and section 15 of Act No. 287 of the Public Acts of 1964, as amended, being 380.1531, and 388.1015 of the Michigan Compiled Laws)

R 390.1101, R 390.1111, R 390.1124, R 390.1125, R 390.1129, R 390.1129a, R390.1132, R 390.1133, R 390.1134, R 390.1135, R 390. 1141, R 390.1142, R 390.1143, R 390.1145, and R 390.1162 of the Michigan Administrative Code, appearing on pages 2901, 2903, 2905, 2907, 2908, and 2910 of the 1979 Michigan Administrative Code, page 539 of the 1981 Annual Supplement to the Code, and pages 444, 445, 447, and 448 of the 1986 Annual Supplement to the Code, are amended, and R 390.1136 and R 390.1146 are added, to read as hereinafter set forth. R 390.1144 of the Michigan Administrative Code, appearing on page 2908 of the 1979 Michigan Administrative code, is rescinded.

**PART 1. GENERAL PROVISIONS**

**R 390.1101 Definitions.**

Rule 1. As used in this code:

(a) "Bilingual endorsement" means either an authorization for a person with an elementary certificate to teach in a bilingual instruction program in grades kindergarten to and including 8 in all subjects and in his or her major and minor endorsement areas in grade 9 or an authorization for a person with a secondary certificate to teach in a bilingual instruction program in grades 7 to and including 12 in his or her major and minor endorsement areas.

(b) "Certificate endorsement" means attainment of a specific major or majors or a minor or minors, or both, or the extension of the grade level validity of an existing certificate, or the completion of a planned program in an area of specialization. The intent of the additional endorsement program is to permit a person with a certificate to obtain an endorsement at another level or to obtain an endorsement for teaching an additional subject or subjects.

(c) "Early childhood certificate endorsement" means an authorization to teach in any school program preceding or including kindergarten.

- (d) "Elementary school" means a school that consists of grades kindergarten to and including 9.
- (e) "General elementary certificate endorsement" means an authorization to teach all subjects in grades kindergarten to and including 5, in major and minor areas of preparation in grades 6 to and including 8, and all subjects in grades 6 to and including 8 in a self-contained classroom where the majority of instruction is provided by 1 teacher.
- (f) "Michigan teaching certificate" means any of the following:
- (i) A permanent certificate.
  - (ii) A life certificate.
  - (iii) A provisional certificate.
  - (iv) An occupational education certificate.
  - (v) A continuing certificate
  - (vi) A professional education certificate.
  - (vii) A temporary or full vocational authorization.
- (g) "Middle school certificate endorsement" means an authorization to teach in grades 5 to and including 9 in the major and minor areas of preparation.
- (h) "Satisfactory college credit" means an average grade of C or its equivalent.
- (i) "Secondary certificate endorsement" means an authorization to teach in grades 9 to and including 12 in major and minor areas of preparation.
- (j) "Secondary school" means a school that consists of some or all of grades 7 to 12.
- (k) "Self-contained classroom" means a classroom in which a majority of instruction is provided by 1 teacher.
- (l) "Sponsoring institution" means a higher education institution which is approved for teacher education by the state board and which is willing to make recommendations as to applicants for the several certificates provided for in this code.
- (m) "State board" means the state board of education.
- (n) "Substantive field" means courses in areas other than professional preparation courses in education or courses of content or methods related to the preparation of teachers.

### **R 390.1103 Successful teaching.**

- Rule 3. (1) The determination of 3 years of successful teaching specified in these rules shall be according to the following:
- (a) Employment may be with 1 or more employers in a regular or substitute teaching capacity.
- (b) Each period of employment shall be characterized as successful or unsuccessful by the employer.
- (c) A year of employment is a minimum of 150 teaching days and may be either an academic or a calendar year, but not more than 1 year of employment can be earned during a calendar year.
- (d) A day of employment is  $\frac{1}{2}$  or more of a teaching day, but not more than 1 day of employment can be earned during a calendar day.

(2) A teacher may appeal any decision to under these rules through the recommending institution's appeal procedure and, failing relief from that source, to the state board of education.

### **R 390.1105 Persons required to hold certificates or permits.**

Rule 5. (1) A person employed in an elementary or secondary school with instructional responsibilities shall hold a certificate, permit or vocational authorization valid for the positions to which he is assigned.

(2) A teacher aide, classroom assistant, secretary to instructional personnel or other paraprofessional person legally employed in a non-instructional capacity need not be certified as a teacher.

(3) A student enrolled for student teaching or internship credit at an approved teacher education institution need not hold a teaching certificate but shall be certified by such a teacher education institution to the state board as enrolled for student teaching. The certificate shall include the initial and final dates of the assignment and the name of the school to which the student is assigned. Upon filing such certificate with the state board, persons assigned school duties by a board of education shall be considered as lawfully exercising such duties.

(4) A full-time teacher of a day school program reimbursed from vocational education funds (agriculture, business, homemaking, trade and industrial), shall meet the minimum qualifications for endorsement or authorization in the particular vocational education field as specified by the state board.

(5) A teacher in a reimbursed program in special education shall meet the minimum qualifications for certification when required by law in the particular special education field as specified by the state board.

(6) A previously issued certificate retains its original designation and validity. A permanent certificate continues as a permanent certificate.

### **R 390.1111 Equality of opportunity.**

Rule 11. (1) The state board holds that segregation of students at any level in educational programs seriously interferes with the achievement of equal opportunity guarantees of this state and that segregated schools fail to provide maximum opportunity for the full development of human resources in a democratic society. Therefore, it directs each Michigan institution of higher education approved for the preparation of teachers to provide an opportunity for prospective teachers to understand the effect of discrimination on the basis of race, religion, color, national origin or ancestry, age, sex, marital status, or handicap and to be educated in integrated teacher education programs so that in their professional careers they will be able to further achievement of the equal opportunity guarantees of this state.

(2) An applicant for provisional certification shall show an awareness that Michigan's constitution and laws guarantee the right to equal educational opportunity without discrimination because of race, religion, color, national origin or ancestry, age, sex, marital status, or handicap.

(3) An applicant for provisional certification has an important responsibility to create a climate for learning based upon the practice and an understanding of equality of educational opportunity in its fullest sense.

(4) An applicant for provisional certification who is otherwise qualified shall not be denied the right to be certified by the state board, to receive training for the purpose of becoming a teacher, or to engage in practice teaching in any school because he or she is blind, deaf, or physically handicapped in some other manner. A school district shall not refuse to engage a handicapped teacher on such grounds if the teacher is able to carry out the duties of the position in the school district for which he or she applies.

#### **R 390.1115 Applications and credits.**

Rule 15. (1) The application for a certificate or permit shall be directed to the state board of education, Lansing, Michigan, presented on a form supplied or approved by the state board.

(2) Credits toward certification shall be completed through an approved teacher education institution, or accepted in transfer by such an institution, and shall be acceptable toward requirements for a provisional teaching certificate and a bachelor's or higher degree. The state board reserves the right to determine the acceptability of credits presented for certification from approved teacher education institutions located in other states.

#### **R 390.1117 Certificate restrictions and expiration.**

Rule 17. (1) A certificate and a permit have certain restrictions as to the nature of teaching for which the holder may be employed. The applicant and employer shall be thoroughly familiar with the specific provisions regarding the validity of the several certificates.

(2) All certificates and permits expire on June 30 of the expiration year indicated on the certificate or permit.

### **PART 2. STATE PROVISIONAL CERTIFICATES**

#### **R 390.1121 General provisions.**

Rule 21. (1) A qualified person shall complete an application for provisional certification within 5 years after certification requirements have been met.

(2) The requirements in this part of the code for the several certificates are minimum requirements.

(3) The provisions of this part are mandatory for all persons enrolled in teacher education institutions in this state after July 1, 1970.

#### **R 390.1122 General education and substantive fields.**

Rule 22. (1) An applicant for a provisional certificate shall demonstrate that he has an acquaintance with the substance, concepts, and methods of the principal areas of human knowledge, and skills essential to communication and inquiry in modern society. He shall present evidence that he has completed not less than 40 semester hours in a program of general or liberal education.

(2) An applicant shall present evidence of completion of a program providing for depth in any substantive field he proposes to teach. At the secondary level, such specialization is ordinarily initiated by completing a major in a specific field or in closely allied fields. At the elementary level, responsibility for introducing pupils to many areas of human knowledge or inquiry shall not deprive the prospective teacher of the opportunity to develop a degree of specialization in a particular substantive field. Therefore, the applicant shall present evidence that he has begun to master a substantive field and is able, because of his teaching skills, to stimulate students to seek more knowledge and understanding.

### **R 390.1123 Professional education.**

Rule 23. (1) An applicant shall present evidence that he or she has completed 20 semester hours of theoretical and practical knowledge in the following fields:

(a) How human beings grow and how they learn. Elementary preparation shall focus on the developmental needs of preadolescents and early adolescents. Secondary preparation shall focus on the developmental needs of early adolescents and adolescents. All study shall include the needs of the exceptional child, including those with handicapping conditions, the gifted and talented, and those with cultural differences.

(b) The structure, function, and purposes of educational institutions in our society.

(c) The methods and materials of instruction appropriate to the elementary and middle levels or the middle and secondary levels. The provisions of this part are mandatory for programs at state board-approved teacher education institutions in this state after July 1, 1987.

(2) The applicant shall present evidence that he or she has participated under institutional supervision for a minimum of 6 semester hours (of the 20) in directed teaching at the level for which the certificate is granted.

### **R 390.1124 Scholastic averages and directed teaching.**

Rule 24. (1) An applicant for an elementary or secondary provisional certificate shall have satisfactory college credits before assignment to directed teaching. To qualify for a certificate, an applicant shall obtain satisfactory college credit in directed teaching. An applicant shall have satisfactory college credit in the required hours for each successive certificate.

(2) For certification purposes, a minimum of 30 clock hours of responsible classroom teaching and observation under the supervision of a sponsoring institution is equivalent to 1 semester hour of credit in directed teaching.

(3) The directed teaching requirement for the initial elementary or secondary provisional certificate may be waived for an experienced teacher as follows:

- (a) For an applicant with an earned master's degree or higher degree and 3 years of successful teaching experience at the appropriate level, together with a recommendation from the school superintendent and the sponsoring institution regarding the certificate, the complete requirement of 6 semester hours may be waived.
- (b) For an applicant with less than a master's degree or higher degree but with 5 years of successful teaching experience at the appropriate level, together with a recommendation from the school superintendent and the sponsoring institution regarding the certificate, the complete requirement of 6 semester hours may be waived.

### **R 390.1125 Degree and recommendations.**

Rule 25. (1) An applicant for a provisional certificate shall have been granted a bachelor's degree and shall be recommended by a Michigan college or university approved for teacher education by the state board. A Michigan college or university approved for teacher education may accept a degree from a regionally accredited institution if it is determined that the degree is equivalent to that awarded by the sponsoring institution. The state board reserves the right to determine the acceptability of degree equivalent recommendations.

(2) The sponsoring institution shall make recommendations concerning all certificates.

### **R 390.1126 State elementary provisional certificates.**

Rule 26. (1) A state elementary provisional certificate may be issued to an applicant who presents evidence that he or she has completed the requirements in the provisions of R390.1123 and either of the following:

(a) A major of not less than 30 semester hours or a group major of 36 semester hours and, in addition to such major or group major, a planned program of 20 semester hours in other fields deemed appropriate to elementary education. After July 1983, there shall be evidence to prove that the applicant has completed 6 semester hours in the teaching of reading.

(b) Three minors of not less than 20 semester hours each, 2 of which shall be in substantive fields which may include a group minor of 24 semester hour and 1 of which may be a planned program of 20 semester hours in a combination of methods and content appropriate to elementary education. After July 1, 1983, there shall be evidence to prove that the applicant has completed 6 semester hours in the teaching of reading.

(2) A state elementary provisional certificate is valid for teaching all subjects in grades kindergarten to 8 and in subject matter areas in grade 9 in which the applicant has completed a major or minor. The certificate is valid for 6 years. This subrule expires on September 1, 1988.

(3) A state elementary provisional certificate which is issued after September 1, 1988, is valid for teaching all subjects in grades kindergarten to and including 5, for teaching subject areas in grades 6 to and including 8 in which the applicant has completed a major or minor, and for teaching all subjects in grades kindergarten to and including 8 when those subjects are taught in a self-contained classroom in which a majority of the instruction is provided by 1 teacher. The certificate is valid for 6 years.

### **R 390.1127 State secondary provisional certificates.**

Rule 27. (1) A state secondary provisional certificate may be issued to an applicant who presents evidence that he or she has completed the requirement in the provisions of R390.1123 and all of the following:

- (a) A major of not less than 30 semester hours or a group major of 36 semester hours.
- (b) A minor of 20 semester hours or a group minor of 24 semester hours.
- (c) After July 1, 1983, 3 semester hours in the teaching of reading. Evidence shall be presented to prove completion of such credit.

(2) A state secondary provisional certificate is valid for teaching all subjects in grades 7 and 8 and in subject matter areas in grades 9 to 12 in which the applicant has completed a major or minor. The certificate is valid for 6 years. This subrule expires on September 1, 1988.

(3) A state secondary provisional certificate which is issued after September 1, 1988, is valid for teaching in subject areas on grades 7 to and including 12 in which the applicant has completed a major or minor. The certificate is valid for 6 years.

### **R 390.1128 Additional majors and minors.**

Rule 28. A person who is already certificated and who wishes to qualify for a new major or minor may combine credit already earned with additional credit to bring the total up to the minimum for a major or a minor as specified in this code. The additional major or minor shall be recommended by a sponsoring institution in the same manner as the original provisional, permanent or continuing certificate.

### **R 390.1129 Certificate endorsements.**

Rule 29. (1) The holder of an elementary or secondary provisional, permanent, continuing, or professional education certificate may qualify for another certificate endorsement by presenting evidence that he or she has completed 1 of the following planned programs with a minimum of 18 semester hours:

- (a) Early childhood.
- (b) Bilingual language area.
- (c) General elementary.
- (d) Middle school.
- (e) Areas appropriate to the secondary grades.

(2) The middle school endorsement shall include not less than 6 semester hours in the teaching of reading, which shall include reading in the content areas and studies in developmental reading. When the planned program is completed following the issuance of the initial provisional state certificate, a person may apply the credit to the requirements for the continuing certificate.

(3) A Michigan institution approved for teacher education or an approved out-of-state institution, as authorized by the provisions of R 390.1132(1)(c), may recommend the additional certificate endorsement.

### **R 390.1129a Procedures at expiration of provisional certificates.**

Rule 29a. 1) To be qualified for teaching at the expiration of an elementary or secondary provisional certificate or temporary vocational authorization certificate, an applicant shall qualify within the provisional or temporary vocational authorization certificate period for a continuing, professional education, occupational education, or full vocational authorization certificate. If the applicant does not so qualify, a 3-year renewal of the provisional or temporary vocational authorization certificate may be granted if the applicant presents evidence that he or she has completed 10 semester hours of credit since the issuance of the provisional or temporary vocational authorization certificate or that he or she holds an earned master's or doctorate degree. A second 3-year renewal may be granted if the applicant presents evidence that he or she has earned 18 semester hours after the issuance of the provisional or temporary vocational authorization certificate in a planned course of study that are applicable toward the requirements for a continuing, professional education, occupational education, or full vocational authorization certificate or that he or she holds an earned master's or doctorate degree.

(2) The sponsoring institution shall make a recommendation concerning the certificate.

(3) Additional 3-year renewals of a provisional or temporary vocational authorization certificate may be obtained after the expiration of the second provisional or temporary vocational authorization certificate renewal if all credits for a continuing, full vocational authorization, professional, or occupational education certificate have been completed. An employing Michigan public or private school may sponsor a teacher for additional 3 year provisional or temporary vocational authorization certificate renewals. An applicant shall apply to the state board of education for such renewal within 30 days after the employment of the teacher in a full- time or part-time regular teaching assignment. Additional renewals are not available for substitute teaching or for applicants who meet continuing, professional, or occupational education certificate requirements.

### **R 390.1130 Reciprocity.**

Rule 30. The state board may issue a provisional certificate to a person who has, or who is eligible for, a teaching certificate issued by the certifying authority of any other state in which requirements for certification are deemed equivalent to those in effect in this state. The state board may enter into written agreements with the states for the mutual acceptance of 1 or more types of teaching certificates issued by each state. The department of education shall publish and distribute annually a list of states with which reciprocity agreements are signed, or whose certificates are accepted in such a manner.

## **PART 3. STATE CONTINUING CERTIFICATES**

### **R 390.1131 Rescinded.**



**R 390.1132 State elementary or secondary continuing or professional education certificates.**

Rule 32. (1) A state elementary or secondary continuing or professional education certificate may be issued to an applicant who presents evidence that he or she has completed all of the following requirements:

(a) He or she has taught successfully for 3 years according to the validity of the provisional certificate and since the issuance of the provisional certificate, as determined by the state board upon recommendation of the sponsoring institution and the local school district.

(b) He or she has earned 18 semester hours after the issuance of the state provisional certificate in a planned course of study. This advanced course of study is applicable to the applicant's professional development as determined by the state board upon recommendation of the sponsoring institution and, if appropriate, the local school district. After July 1, 1983, the 18 semester hours shall include the reading credit required in subdivision (d) of this subrule. A person with an earned master's or higher degree is not required to complete the 18-semester-hour planned program. After July 1, 1983, applicants with an earned master's degree shall have completed the reading credit required in subdivision (d) of this subrule.

(c) He or she may be recommended for a continuing or professional education certificate by a teacher education institution which is out of this state and which is accredited by a national teacher accreditation agency approved by the state board, if credits comprising a planned course of study are applicable toward a master's or higher degree at the institution.

(d) He or she has completed a minimum of 6 semester hours of teaching reading for an elementary continuing or professional education certificate or a minimum of 3 semester hours of teaching reading for a secondary continuing or professional education certificate. This reading credit may have been completed at any time before application for continuing or professional education certification. The qualifications set forth in this subdivision are required for all persons who apply for a continuing certificate or a professional education certificate after July 1, 1983.

(2) An initial state elementary or secondary 18-hour continuing certificate shall not be issued after June 30, 1992.

**R 390.1133 State elementary and secondary 30-hour continuing certificates.**

Rule 33. (1) A state elementary or secondary 30-hour continuing certificate is not required, but is available to a teacher who qualifies for it and requests it.

(2) A state elementary or secondary 30-hour continuing certificate may be issued to an applicant who presents evidence that he or she has completed all of the following requirements:

(a) He or she has taught successfully for 3 years under the terms of his or her provisional, continuing, or permanent certificate as determined by the state board upon recommendation of the sponsoring institution and the local school district.

(b) Thirty semester hours in a planned course of study beyond the bachelor's degree or holds a master's degree. This advanced course of study is applicable to the

applicant's professional development and shall consist of a planned program contributing specifically to his or her professional improvement as determined by the state board upon recommendation of the sponsoring institution. After July 1, 1983, applicants for the 30-hour continuing certificate shall have completed the reading credit required in subdivision (d) of this subrule.

(c) The credit comprising a planned course of study shall be applicable on a master's or higher degree at the institution when the recommendation for this certificate is made by an institution which is located out of this state and which is accredited by a national teacher accreditation agency approved by the state board.

(d) A minimum of 6 semester hours of teaching reading for an elementary 30-hour continuing certificate or a minimum of 3 semester hours of teaching reading for an elementary continuing certificate. This reading credit may have been completed at any time before application for continuing certification. The qualifications set forth in this subdivision are required for all persons applying for a 30-hour continuing certificate after July 1, 1983.

(3) An initial state elementary or secondary 30-hour continuing certificate shall not be issued after June 30, 1992.

### **R 390.1134 Validity of permanent or continuing certificate or full vocational authorization.**

Rule 34. (1) A permanent or continuing certificate or full vocational authorization retains its validity if the holder is employed in an educational capacity for a minimum of 100 days in any given 5-year period.

(2) A permanent or continuing certificate or full vocational authorization is suspended automatically if the holder is not employed in an educational capacity for the minimum of 100 days in the 5-year period.

(3) A suspended permanent or continuing certificate or full vocational authorization may be reinstated for an applicant who presents evidence that he or she meets either of the following requirements:

(a) Holds a master's or higher degree from an approved teacher education institution.

(b) Has completed, subsequent to the suspension, 6 semester hours of satisfactory college credit from an approved teacher education institution.

(4) A suspended permanent or continuing certificate or full vocational authorization may be reinstated provisionally for 1 year by the state board upon the request of a public or private school employer that is willing to employ and sponsor the holder full-time for 1 year. The provisional reinstatement shall be authorized to the sponsoring school employer in the name of the holder under the following conditions:

(a) During the reinstatement period, the school employer shall provide appropriate classroom supervision to the teacher candidate for reinstatement of the certificate or authorization. The employer shall submit a written evaluation to the state board at the end of the 1-year reinstatement period.

(b) When the employer reports the completion of 1 year of successful experience during the reinstatement period, the permanent or continuing certificate or full vocational authorization shall be fully reinstated.

(c) When the employer reports that the reinstatement year of experience was unsuccessful, the holder of the suspended certificate or authorization may enroll in a teacher education institution of his or her choice and complete a minimum of 6 semester hours of credit selected to improve the teaching skills identified by the sponsoring employer as deficient during the 1-year reinstatement period. Upon successful completion of that additional credit, the permanent or continuing certificate or full vocational authorization shall be fully reinstated.

(5) A permanent, continuing, or full vocational authorization certificate is valid for teaching in this state in the grades, subjects, or levels specified on the certificate.

(6) This rule shall remain applicable to permanent or continuing certificates or full vocational authorizations.

### **R 390.1135 Professional education certificate or occupational education certificate; renewal.**

Rule 35. (1) A professional education certificate or occupational education certificate is valid for up to 5 years and shall be renewed, on proper application, for up to an additional 5 years upon the applicant's completion of 6 semester hours of academic credit from an approved teacher preparation institution, or the submission of evidence of the equivalent, in continuing education units completed through professional development programs or professional activities defined and approved by the state board, or in any combination thereof. Not more than the required 6 semester credit hours or equivalent in state board-approved continuing education units earned during any certificate validity span may be applied toward any subsequent renewal.

(2) The expiration year of the professional education certificate and the occupational education certificate shall be determined as follows:

(a) Certificates issued through March 31 shall expire 5 years from the preceding June 30.

(b) Certificates issued beginning April 1 will expire 5 years from the following June 30.

(3) To renew an expired professional education or occupational education certificate, a person shall apply to the state board for a renewal and shall present evidence of the completion, within a 5-year period before application for renewal, of the 6 semester hours, or their equivalent, in approved professional development programs or approved professional activities as defined in subrule (1) of this rule.

(4) Credit completed out of state shall have been completed in an approved teacher training institution.

(5) This rule applies to all candidates who apply and qualify for a professional education certificate or an occupational education certificate after June 30, 1992.

### **R 390.1136 Professional education or occupational education certificate; eligibility.**

Rule 36. After June 30, 1992, all applicants who would have been eligible for an initial continuing certificate or full vocational authorization shall instead qualify for a professional education certificate or occupational education certificate and this certificate shall be renewed in accordance with the provisions of R 390.1135.



## **PART 4. STATE SPECIAL PERMITS**

### **R 390.1141 General provisions.**

Rule 41. (1) On application, the state board will issue a special permit for a person who has the statutory qualifications and has completed, or had accepted by transfer, the prescribed amount of satisfactory college credit in an approved teacher education program. The permit will be a full-year permit or substitute permit.

(2) A full-year or substitute permit or renewal of either permit is issued to the recommending superintendent or personnel officer, who shall apply for such permit or renewal and who shall affirm under oath that the requirements for the requested permit or renewal have been met, including that a certificated teacher is not available for employment. The recommending superintendent or personnel officer receiving the permit or renewal shall hold the permit or renewal for the person.

### **R 390.1142 Full-year special permits.**

Rule 42. (1) A full-year special permit shall be issued when a properly certificated teacher is unavailable for a regular teaching assignment.

(2) An application for a full-year special permit shall contain evidence that the candidate has completed 120 semester hours of satisfactory college credit, as defined in R 390.1141 including 15 semester hours of appropriate professional education credit.

(3) A full-year special permit is valid for teaching in the grades or subjects or grade and subjects specified on the permit until June 30 of the school year for which the permit is issued.

(4) A full-year special permit will be renewed when evidence is presented that a person has completed 6 semester hours of satisfactory additional credit applying on requirements for regular certification and that a properly certificated teacher is unavailable for a regular teaching assignment.

### **R 390.1143 Substitute permits.**

Rule 43. (1) An application for a substitute permit shall contain evidence that the candidate has completed not less than 120 semester hours of satisfactory credit in an approved teacher preparation program, which shall include a minimum of 6 semester hours of professional education credit. Persons who are currently enrolled in an approved teacher preparation program will be considered to have met the 6-semester-hour requirement.

(2) A substitute permit is valid for teaching on a substitute basis for a maximum of 150 days during any school year. Teaching on a substitute basis means teaching when the regular certificated teacher is temporarily absent. Such permit is not valid for any regular or extended teaching assignment.

(3) A substitute permit is renewable each year.

### **390.1144 Rescinded.**

### **R 390.1145 Permits in emergency situations.**

Rule 45. In emergency situations and on recommendation of the superintendent of a local or intermediate school district, the state board may issue a permit for a candidate with reasonable qualifications if a candidate who meets the requirements for obtaining a substitute permit or a full-year permit is not available and if failure to authorize this emergency permit will deprive children of an education. The permit shall be issued for a specific period of time under emergency circumstances. A labor dispute is not an emergency circumstance.

### **R 390.1146 Special permits; effective date.**

Rule 46. The provisions of R 390.1141 to R 390.1145 shall take effect September 1, 1989.

## **PART 5. EDUCATIONAL INSTITUTIONS**

### **R 390.1151 Approved teacher education institutions; report; program review; selection techniques; majors and minors; specific subjects.**

Rule 51. (1) The state board approves certain institutions and their programs for the purposes of preparing applicants for certification. Upon request of the state board, a teacher education institution shall present a report of its teacher education curricula and definitions of majors and minors. The programs of an approved teacher education institution are subject to period review by the state board.

(2) A sponsoring institution recommending applicants for teachers' certificates shall establish selection techniques which insure that only qualified students are admitted to the teacher education program and that only qualified students are sponsored for certification.

(3) Unless otherwise approved by the state board, all majors and minors offered by an approved teacher education institution shall be in subject matter fields pertinent to teaching at the level for which certification is to be recommended. The state board reserves the right to determine the acceptability of majors and minors recommended by out-of-state institutions.

(4) An applicant who has been graduated from a specific teaching curriculum, such as fine arts, industrial arts, library science, music, physical education, health education, or foreign language, may be certified to teach that specific subject in elementary and secondary grades when, upon recommendation of the sponsoring institution, the applicant qualifies at both levels.

### **R 390.1152 Approved teacher education institutions; equivalence option.**

Rule 52. An applicant may satisfy any educational requirement for certification by presenting evidence of an equivalent as determined by the state board. In granting such equivalence the state board shall consider college graduation and scores made on

standardized examinations or prior teaching experience, or any combination of these or other appropriate criteria. Evaluation of equivalence shall be under direction of the state board. The sponsoring institution may award semester hours of credit based upon equivalence in partial fulfillment of requirements for a major or minor or for any of the required credits for certification.

### **R 390.1153 Approved teacher education institutions; experimental programs.**

Rule 53. The state board at the request of an approved teacher education institution may waive for a specific time particular requirements of this code for experimental teacher education programs. A request for such a waiver shall provide sufficient detail as prescribed to allow the state board to approve such provisions in order that substantial experimentation with patterns of teacher education may be encouraged. Upon adequate evidence, the state board may give continuing status to an experimental teacher education program of demonstrated superiority.

### **R 390.1154 Out-of-state institutions.**

Rule 54. (1) An applicant for certification in this state who has been educated in an accredited institution out of this state shall present evidence of having fulfilled all of the requirements established for residents of this state. The state board may accept credit from an institution accredited by its regional accrediting association.

(2) An applicant for certification in this state who presents credit from a teacher education institution not accredited by its regional accrediting association may validate such credit by gaining unconditional admission to full standing in the graduate department, division or school of a college or university fully accredited by the regional accrediting association, or completing 6 semester hours of acceptable graduate credit in an accredited institution or meeting such requirements as are specified by the state board.

(3) Credits from institutions in foreign countries will be adjudged by the United States office of education and by the state board in determining eligibility for certification.

(4) A state elementary or secondary provisional certificate may be issued to an applicant from another state who presents evidence that he has been graduated from a teacher education institution approved by that state's appropriate education agency and has completed a program in elementary or secondary education as prescribed by that teacher education institution, if the institution is accredited at the time of his graduation by a national teacher accreditation agency approved by the state board.

### **R 390.1155 Non-teacher education institutions.**

Rule 55. An applicant presenting credits from an institution of higher education not approved for teacher education purposes shall complete such credits as may be required by the state board in his individual case.

### **R 390.1156 Correspondence credits.**

Rule 56. A correspondence credit may not apply toward requirements for a continuing certificate, renewal of a provisional certificate, nor conversion of a provisional or continuing certificate.

### **R 390.1157 Bilingual endorsements.**

Rule 57. (1) Bilingual endorsements shall be granted in specified languages with authorization to each as defined in R 390.1101(a).

(2) The bilingual endorsement program for initial certificates shall be a group minor of 24 semester hours.

(3) The bilingual endorsement program for existing certificates shall be a minimum of 18 semester hours. Credits for coursework to develop basic language proficiency in either the endorsed language or in the English language shall not be included in the 18 hour program.

(4) A bilingual endorsement program shall contain all of the following requirements:

(a) Language proficiency. An applicant shall demonstrate reading, writing, speaking, and listening proficiency in English and in the language for which endorsement is sought as determined by an examination process approved by the state board of education. The state board of education shall designate those languages for which reading and writing proficiency is not required.

(b) Linguistics and bilingual methodology. An applicant shall successfully complete 9 semester hours of coursework designed to develop all of the following:

(i) Knowledge of the historical background and pedagogical rationale of bilingual education.

(ii) Effective skills in using both English and the endorsed language as media of instruction in the subject matter areas for which certification is held or being sought.

(iii) Effective skills in the instruction of English and the endorsed language as both first and second languages, as individual classes, or as activities integrated into content areas.

(iv) Effective skills in the linguistic analysis of both English and the endorsed language and in the testing and assessment of language skills.

(c) Culture. An applicant shall successfully complete 6 semester hours of coursework designed to develop all of the following:

(i) Effective skills in utilizing cultural information and activities as means for developing basic skills.

(ii) Effective skills in presenting the history and cultures of the geographical area associated with the endorsed language.

(iii) Effective skills in presenting the history and culture of the endorsed language groups within the United States.

(iv) Effective skills in communicating with parents of children enrolled in the bilingual education program and with members of the bilingual advisory committee.

(d) Field experience. An applicant shall successfully complete a portion of the directed teaching requirement for an initial elementary or secondary provisional certificate with a bilingual endorsement in a currently operating bilingual instruction program.

(5) This rule is mandatory for all persons seeking bilingual endorsement after July 1, 1982.



## **PART 6. VOCATIONAL ENDORSEMENT AND AUTHORIZATION**

### **R 390.1161 State secondary provisional certification with vocational endorsement.**

Rule 61. (1) An applicant for vocational endorsement shall meet the requirements for state secondary provisional certification as described in part 2 of these rules as well as presenting evidence of completing:

(a) A program in vocational teacher education at an institution approved by the state board for the preparation of vocational teachers in the occupational area of endorsement.

(b) A major or a minor in an approved program in the occupational area of the endorsement.

(c) Two years of work experience in the occupational area of the endorsement or completion of a planned equivalent program of directed supervised occupational experience approved by the department of education. The occupational experience shall be characterized by its relevancy and recency.

(2) Vocational endorsement is valid for teaching in the stated occupational area in approved vocational education programs.

### **R 390.1162 State secondary continuing or professional education certification.**

Rule 62. A state continuing or professional education certificate with a vocational endorsement may be issued to an applicant who has met the requirements for continuing or professional education certification as described in part 3 of these rules and who has presented evidence that he or she has completed both of the following requirements:

(a) Taught successfully for 3 years according to the validity of his or her provisional certificate and vocational endorsement and since the issuance of the provisional certificate and vocational endorsement, as determined by the state board upon recommendation of the sponsoring institution and the local school district.

(b) Earned 18 semester hours after the issuance of his or her state provisional certificate and vocational endorsement in a planned course of study, which includes a minimum of 10 semester hours of relevant vocational education. This advanced course of study is applicable to the applicant's professional development as determined by the state board upon recommendation of the sponsoring institution and, if appropriate, the local school district. A person who possesses an earned master's or higher degree is not required to complete the 18-semester-hour planned program.

### **R 390.1163 Temporary vocational authorization.**

Rule 63. (1) A temporary vocational authorization document may be issued upon the report of a designated vocational teacher education institution to an applicant presenting evidence that he has met the following requirements:

- (a) Possesses a baccalaureate degree.
  - (b) Has a major or minor in the field of specialization in which vocational authorization is being requested or equivalent graduate credits to substitute for the required major or minor.
  - (c) Has a minimum of 2 years of experience in the occupational area concerned or has completed a planned program of directed supervised occupational experience approved by the state board. The occupational experience shall be characterized by its relevancy and recency.
- (2) Temporary vocational authorization is valid for teaching in those courses in which instruction is limited to the occupation specified on the authorization in approved vocational programs. It is valid for 6 years.

### **R 390.1164 Full vocational authorization.**

Rule 64. (1) A full vocational authorization document shall be issued to qualified candidates and shall be valid for continued teaching in those courses in which instruction is limited to the occupation specified on the authorization in approved vocational programs.

- (2) Applications for full vocational authorization shall contain evidence that the candidate:
- (a) Has taught successfully for 3 years according to the validity of his temporary vocational authorization as determined by the state board upon recommendation of the sponsoring institution and the local school district.
  - (b) Has completed a minimum of 10 semester hours of professional vocational education as determined by the state board and approved by the sponsoring institution and the local school district.
- (3) The validity of a full vocational authorization is specified in R 390.1134.

### **R 390.1165 Annual vocational authorization.**

Rule 65. (1) If a candidate does not meet the standards outlined for temporary vocational authorization, an evaluation of competency shall be made by the department of education. The department shall determine the adequacy of the candidate's combined education and occupational and teaching experience at the journeyman level in apprenticeable trades. If the candidate is deemed competent, a 1-year vocational authorization shall be issued to the school district. This annual vocational authorization is planned primarily for persons who will be teaching vocationally approved courses in grades 9 to 12.

- (2) This annual authorization is valid for teaching those courses in approved programs in which instruction is limited to the occupation specified on the authorization.
- (3) A school district shall certify that a vocational education certificated teacher is not available. A school district shall document that a vocational education certificated teacher opening was advertised, but a teacher was not available, before applying for the annual vocational authorization. The advertising requirement does not apply if the noncertificated teacher for whom the annual vocational authorization is sought is annually and continually enrolled and completing credit in an approved vocational

teacher preparation program leading to vocational certification, or has submitted evidence of the equivalent, in continuing education units completed through professional development programs or professional activities defined and approved by the state board. The exemption from the advertising requirement shall not be granted for more than 8 consecutive school years.

**R 390.1166 Credit from institutions not designated for preparation of vocational teachers.**

Rule 66. Candidates for vocational endorsement or authorization who present credit from a teacher education institution not approved by the state board for the preparation of vocational teachers may validate the credit by gaining unconditional admission to full standing in the graduate department, division, or school of a college or university approved for vocational teacher education, by completing 6 semester hours of acceptable graduate credit in an institution approved by the state board for the preparation of vocational teachers, or meet the requirements specified by the state board.

**R 390.1167 Instructional programs leading to state or federal license.**

Rule 67. Personnel assigned instructional responsibility in fields for which a state or federal license is required shall hold the appropriate license before requesting a vocational endorsement or authorization.

**PART 7. CERTIFICATION OF TEACHERS UNTIL 1970**

**R 390.1171 – R390.1179 Rescinded.**

**PART 8. CERTIFICATION OF CERTAIN TEACHERS UNTIL 1976**

**R 390.1181 – R 390-1189 Expired.**

**PART 9. EFFECTIVE DATE AND RESCISSION**

**R 390.1198 Effective date.**

Rule 98. These rules are effective July 1, 1967.

**R 390.1199 Rescission.**

Rule 99. The teacher's certification code of the state board of education, being

R 390.401 to R 390.533 of the Michigan Administrative Code, and appearing on pages 4001 to 4012 of the 1954 volume of the Code, with amendments to rules appearing on pages 109 and 110 of the 1955 Annual Supplement to the Code, pages 3258 and 3259 of the 1964-1965 Annual Supplements to the Code, and page 65 of the Supplement No. 46 to the Code, is rescinded. The state board rule pertaining to fees for certification and duplicates, being R 390.691 of the Michigan Administrative Code, and appearing on page 2622 of the 1962 Annual Supplement to the Code, is rescinded.

## **PART 10. ADMINISTRATIVE HEARINGS**

### **R 390.1201 Certificates; denial, suspension, or revocation; reinstatement.**

Rule 101. (1) The state board may refuse to grant or renew, or may revoke or suspend for a fixed term, or may impose reasonable conditions on, a teaching certificate granted pursuant to these rules for the following reasons:

- (a) Fraud, material misrepresentation, or concealment in the application for a certificate.
  - (b) Failure or ineligibility of the applicant or certificate holder to meet the criteria for eligibility for the certificate.
  - (c) Conviction, as an adult, of an act of immoral conduct contributing to the delinquency of a child, or of a felony involving moral turpitude.
- (2) A certificate shall not be denied, suspended, or revoked solely on the basis of a prior felony conviction, unless it is related reasonably and adversely to the ability of the person to serve in an elementary or secondary school.
- (3) Upon application and a showing of good cause, the state board may reinstate a suspended or revoked certificate or may grant a new certificate. The applicant or certificate holder shall be permitted to demonstrate that, at the present time, he has the ability to serve in a teaching position without adversely affecting children or other members of the profession, and shall provide proof that he is rehabilitated.

### **R 390.1202 Contested case; grounds.**

Rule 102. A contested case may be instituted pursuant to chapter 4 of Act No. 306 of the Public Acts of 1969, being § 24.271 et seq. of the Michigan Compiled Laws, in the event of a refusal to grant or renew a teacher's certificate, or in the event of a suspension or revocation of a teacher's certificate.

### **R 390.1203 Investigation.**

Rule 103. Upon receipt of information which may serve as the basis for a refusal to grant or renew a teacher's certificate, or as the basis for the suspension or revocation of a teacher's certificate, the superintendent of public instruction shall initiate an investigation of that information.

### **R 390.1204 Written charges; service; notice of opportunity to show compliance.**

Rule 104. (1) If the superintendent of public instruction determines that probable cause exists for the suspension or revocation of a teacher's certificate, the superintendent shall initiate the preparation and filing of written charges with the state board and shall cause a copy thereof and a notice of opportunity to show compliance to be served upon the teacher in question.

(2) Within 20 days of service of the notice of opportunity to show compliance, a teacher may request an informal conference to show compliance. The informal conference shall be with an authorized representative of the state board.

(3) After the informal conference, the state board may, after considering the recommendation of its authorized representative, make a finding of compliance, enter into a written settlement with the teacher without a hearing, or direct that a notice of hearing issue.

#### **R 390.1205 Notification of rights; copies of rules and laws.**

Rule 105. Upon receipt of written charges, the state board shall inform the teacher of hearing rights under these rules, and under sections 71 to 92 or Act No. 306 of the Public Acts of 1969, being §§ 24.271 to 24.292 of the Michigan Compiled Laws, and known as the administrative procedures act of 1969, and section 10 of Act No. 287 of the Public Acts of 1964, being § 388.1010 of the Michigan Compiled Laws. A complete copy of the rules and laws shall be furnished to the teacher.

#### **R 390.1206 Notice of hearing; written charges; settlement; absence of party; hearing as public or private.**

Rule 106. (1) Within 30 days of service of the notice of opportunity to show compliance, if the teacher does not request an informal conference, a notice of hearing and a copy of the written charges shall be served upon the teacher.

(2) After an informal conference and a decision by the state board to proceed to hearing, a notice of hearing and a copy of the written charges shall be served upon the teacher.

(3) The written charges may be amended between the time of the notice of opportunity to show compliance and the notice of hearing.

(4) If the teacher fails to attend the hearing, the hearing may proceed and the decision may be made in the absence of the teacher.

(5) The teacher and the state board may agree in writing to a settlement of the matter without a hearing.

(6) A hearing shall be public or private at the request of the teacher.

#### **R 390.1207 Answer to formal charges; bill of particulars.**

Rule 107. (1) A teacher may file and answer to formal charges with the state board. The answer shall be filed not less than 10 days prior to the hearing.

(2) If the formal charges are believed by the teacher to be so ambiguous that an answer cannot be adequately prepared, the teacher may file a motion for a bill of

particulars with the hearing officer. The request for a bill of particulars shall be granted upon a demonstration of good cause.

**R 390.1208 Representation; appearance by legal counsel; service on attorneys of record.**

Rule 108. (1) A teacher may represent himself or be represented by legal counsel or another duly authorized representative.

(2) An appearance by legal counsel shall be filed in writing and at the earliest possible time. Thereafter, service upon the attorneys of record shall be deemed service upon the parties.

**R 390.1209 Hearing officer; duties.**

Rule 109. A hearing officer designated by the state board shall promptly establish hearing dates, inquire fully into all facts relevant to each proceeding, and submit proposals for decision to the state board and the parties.

**R 390.1210 Hearing officer; qualifications; prohibited communications.**

Rule 110. (1) The hearing officer shall be from an office completely separated from any person involved in investigatory or prosecutorial functions regarding contested cases pertaining to teacher certification.

(2) A hearing officer shall not directly or indirectly communicate with a party, a representative of a party, or other person who has been engaged in investigatory or prosecutorial functions regarding any issue of fact or law, except on notice and opportunity for all parties to participate, unless otherwise provided by law.

**R 390.1211 Witnesses; fees and expenses; exclusion from hearing; communication.**

Rule 111. (1) A witness, except a state employee, requested by the hearing officer shall be paid an appropriate witness fee and expenses by the party that had the hearing officer request the presence of the witness. Fees and expenses shall be consistent with those provided in circuit court.

(2) Upon motion and a showing of good cause, a prospective witness may be excluded from a hearing. Witnesses may be instructed not to communicate with a prospective witness.

**R 390.1212 Transcript; evidence; exhibits.**

Rule 112. (1) A hearing reporter shall transcribe the testimony taken at a hearing and file the certified original with the state board upon request of the hearing officer or the state board. A party may request a copy of the transcript at his own expense. When a transcript is prepared, the certified original shall be filed with the state board and all parties shall be notified.

(2) Evidence in a contested case may be retained in the custody of a person designated by the hearing officer or the state board upon such terms as are just, practicable, and designed to preserve the evidence without undue interference on any other legal proceeding.

(3) Exhibits shall be retained by the hearing officer until such time as they are certified and filed with the state board, along with the proposal for decision.

### **R 390.1213 Exceptions; cross exceptions, and briefs.**

Rule 113. (1) Within 20 days after service of the proposal for decision, a party may file a written statement with the state board setting forth exceptions thereto or to any other part of the record or proceeding, including rulings upon motions and objections. A brief in support of these exceptions may be filed with the state board. A copy of the exceptions and any brief shall be served on each party to the proceedings.

(2) Within 10 days after service of an exception, a party may file a cross exception and a brief in support thereof, or a brief in support of the proposal for decision. A copy of the cross exceptions and any brief shall be served on each party to the proceedings.

### **R 390.1214 Oral arguments.**

Rule 114. If a party desires to present oral arguments to the state board, a written request therefore shall be made to the state board at the time an exception, cross exception, or brief is filed. The state board, on its own motion, may direct oral argument.

### **R 390.1215 Advice of attorney general or designated assistant.**

Rule 115. The state board may seek the legal advice of the attorney general, or a designated assistant other than a person who may have engaged in investigatory or prosecutorial functions, with regard to the contested case under consideration or a factually related case.

### **R 390.1216 Proposal for decision; action by state board.**

Rule 116. The state board may adopt, modify, or reverse the proposal for decision.

**APPENDIX A:  
EXCERPTS OF LEGAL PROVISIONS GOVERNING  
CERTIFICATION OF TEACHERS**

I. State Board of Education Authority to Issue Certificates

Determination of the requirements for, and issue all licenses and certificates for teachers in the public schools of this state.

(MCL 380.1531 of Act 451 of P.A. 1976)

II. Certification – Teacher in Non-Public Schools

No person shall teach or give instruction in any of the regular or elementary grade studies in any private, denominational or parochial school within this state who does not hold a certificate such as would qualify him or her to teach in like grades of the public schools of the state.

(MCL 388.553 – Sec. 3 of Act 302 of P.A. 1921)

III. Age and Citizenship

A certificate qualifying a person to teach in the public schools of this state shall not be granted to any person who is not at least 18 years of age. A certificate granted in contravention of this section is void.

(MCL 380.1533 of Act 451 of P.A. 1976)

IV. Penalty for Employing Unqualified Teacher, Administrators, and Counselors

Sec. 163 (1) Except as provided in the school code of 1976, the board of a district or intermediate district shall not permit any of the following:

- (a) A noncertificated teacher to teach in an elementary or secondary school or in an adult basic education or high school completion program.
- (b) A noncertificated counselor to provide counseling services to pupils in an elementary or secondary school or in an adult basic education or high school completion program.
- (c) A noncertificated administrator to be employed as a superintendent, principal, or assistant principal, or in any other position in which the primary responsibility of the administrator is supervising instructional programs.
- (d) A noncertificated chief business official to be employed as a chief business official.



(2) Except as provided in the school code of 1976, a district or intermediate district employing teachers, counselors, or administrators not legally certificated shall have deducted the sum equal to the amount paid the teachers, counselors, or administrators for the period of noncertificated or illegal employment. Each intermediate superintendent shall notify the department of the name of the noncertificated teacher, counselor, or administrator and the district employing that individual and the amount of salary the noncertificated teacher, counselor, or administrator was paid within a constituent district.

(3) If a school official is notified by the department that he or she is employing a nonapproved noncertificated teacher, counselor, or administrator in violation of this section and knowingly continues to employ that teacher, counselor, or administrator, the school official is guilty of a misdemeanor, punishable by a fine of \$1,500.00 for each incidence.

(MCL 388.1763 – Sec. 163 of Act 207 of P.A. 1990)

V. Certificate not Valid Unless Properly Recorded

Before any teacher's certificate shall be valid in any school district, the holder thereof shall record the same in the office of the intermediate superintendent or in the office of superintendent of schools of any school district, of the first, second, or third class where the person expects to teach.

(MCL 380.1532 – Sec. 15323 of Act 451 of P.A. 1976)

VI. Oath of Allegiance of Teacher

Before any teacher's certificate shall be valid in this state, the holder thereof shall make the following oath (or affirmation): "I do solemnly swear (or affirm) that I will support the constitution of the United States of America and the constitution of the state of Michigan and that I will faithfully discharge the duties of the office of teacher according to the best of my ability." The oath shall be signed by the teacher, notarized, and attached to or superimposed on the teacher's certificate.

(MCL 380.1532 – Sec. 1532 of Act 451 of P.A. 1976)

VII. When a person shall be considered certificated

For purposes of endorsement or recertification, a teacher shall be certificated and the holder of a valid teacher's certificate on the completion date of the requirements of a teacher education college, as defined by the college catalog of courses, until such time as the certification is confirmed or rejected by the state board of education. This act is ordered to take immediate effect.

(MCL 380.1535, as added to the School Code by P.A. 118 of 1983)

Michigan Department of Education Office of Teacher/Administrator Preparation and  
Certification P. O. Box 30008 Lansing, MI 48909 Telephone: (517) 373-3310

Administrative Rules C33249 C32562 A61718 5 08 03.doc